IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 3173 of 2004(C)

PETITIONER:

SANTHOSH WILSON, ADVOCATE, T.C.2/3240,
KULANGARA LANE, PATTOM, THIRUVANANTHAPURAM.

BY ADV. C.E.UNNIKRISHNAN

RESPONDENTS:
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1. KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM,
REP. BY ITS SECRETARY.

2. THE ASSISTANT EXECUTIVE ENGINEER,
KESAVADASAPURAM MAJOR DIVISION, PATTOM,
THIRUVANANTHAPURAM.

3. THE ASSISTANT ENGINEER,
KESAVADASAPURAM MAJOR DIVISION,
PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 3173/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LETTERS DT. 22/09/97, 9/1/98, 12/2/99, 7/2/00, 18/8/00, 6/9/00 AND 7/8/2002 BY THE PETITIONER.

EXT.P2. COPY OF THE RECEIPTS BY THE KERALA STATE ELECTRICITY BOARD.

EXT.P3. COPY OF THE BILL DT. 20/7/2002(NO. KDM/BUILDING/02/03.) KERALA STATE ELECTRICITY BOARD.

EXT.P4. COPY OF THE PROCEEDINGS DT. NIL TO THE PETITIONER BY THE R3.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.3173 of 2004

Dated 13th June, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by the refusal to provide electric connection. Pursuant to the interim order, the connection has already been effected. Since the impugned action is only at the level of the second respondent, I do not think that this Court should go into the various disputed facts regarding the alleged liability. There will be a direction to the Executive Engineer of the Electrical Division to look into the representation filed by the petitioner as evidenced by Ext.P1 series and other representations, and take appropriate action thereon in accordance with law with notice to the petitioner and any other affected party. The fate of the bank guarantee furnished by the petitioner pursuant to the interim order will depend on the action thus taken by the Executive Engineer. The needful shall be done within four months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 13th June, 2007.